

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

Jonathan S. Cartwright,)	
)	
)	
vs.)	No. 05-3079-CV-S-FJG
)	Crim. No. 03-3150-01-CR-S-FJG
United States of America,)	
)	
)	

ORDER

Movant entered into a guilty plea before Magistrate Judge James C. England on October 21, 2003. On that date Magistrate England issued a report stating that movant's plea was voluntarily and knowingly entered, and recommending that this Court accept the guilty plea. This Court accepted movant's plea on November 5, 2003. Thereafter, on March 22, 2004, a sentencing hearing was held and the judgment and commitment order entered on March 29, 2005.

Movant timely filed the pending motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 on February 28, 2005. Upon review of this motion (Doc. # 1) and the government's response thereto (Doc. #6, May 10, 2005), the Court hereby denies movant's request to vacate, set aside or correct the judgment. The Court believes the arguments set forth by the respondent present a thorough legal and factual analysis of each issue raised by movant, and adopts said analysis and conclusions as its own by reference hereto. The Court concludes the issues raised by movant are not supported by either the record or prevailing legal authority. For the aforesaid reasons movant's request for an evidentiary hearing is denied, and his motion to vacate, set aside or correct this sentence pursuant to 28 U.S.C. Sec. 2255 is denied.

/s/Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr.
United States District Judge

Dated: July 6, 2005
Kansas City, Missouri